

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of MARITIME COMMUNICATIONS/LAND	*	EB Docket No. 11-71, File
	*	No. EB-09-IH-1751
	*	FRN: 0013587779
MOBILE, LLC, Participant in Auction 61 and Licensee	*	
of Various Authorizations in the Wireless Radio Services,	*	
Applicant for Modification of Various Authorizations in	*	
the Wireless Radio Services and Applicant for Commission	*	
Consent to the Assignment of Various Authorizations in	*	
the Wireless Radio Services	*	
	*	
	*	Application File Nos.
	*	0004030479, 0004144435,
	*	0004193028, 0004193328,
	*	0004354053, 0004309872,
	*	0004310060, 0004314903,
	*	0004315013, 0004430505,
	*	0004417199, 0004419431,
	*	0004422320, 0004422329,
	*	0004507921, 0004153701,
	*	0004526264, 0004636537
	*	and 0004604962
	*	

NOTICE OF INTENT TO WITHDRAW APPEARANCE AS COUNSEL OF RECORD

The Nossaman law firm, counsel for Environmental LLC, Intellegent Transportation and Monitoring Wireless, LLC, Skybridge Spectrum Foundation, Telesaurus Holdings GB, LLC and Warren Havens, hereby gives notice of its intent to withdraw as counsel of record.

1. This notice is being filed for the information of the Chief Judge and of the parties. Its purpose is to advise the tribunal and the parties of a problem concerning the representation of Warren Havens and entities associated with Mr. Havens, so as to assure if possible, that Mr. Havens' and related parties' interests will be fully protected while those parties retain new, conflict-free counsel to represent them before this tribunal. Challenges are presented with the concept that Mr. Havens' established counsel may be required to withdraw where a new

proceeding such as this one (although in some ways a continuation of prior matters) includes the participation of new parties and a new docket number, and involves parties whose presence creates disqualifying conflicts of interest for the Havens' parties' counsel.

2. The undersigned respectfully request that in light of their inability to represent the Havens parties' interests in the present matter as explained below, the tribunal should establish a date by which the Havens parties shall be required to appear and present their positions to this tribunal, and that until such date no actions adverse to the Havens parties' interests be taken herein, to avoid injustice and prejudice to parties whose prior counsel cannot represent them here for the reasons stated.

3. Counsel had hoped and expected that a substitution of counsel could have been effected but the timing of matters necessitates this notice, in part because of the e-mail from Justin Ross, law clerk to the Chief Judge, dated May 25 touching on these issues.

4. Nossaman has represented Havens and affiliated entities in judicial proceedings in state and federal courts to prosecute claims for damages arising from, in part, the conduct of Maritime Communications/Land Mobile, LLC ("Maritime"). The firm has not heretofore represented Havens in the FCC licensing proceedings giving rise to this case.

5. On April 19, 2011, the FCC issued order DA 11-64 outlining the history of some of Maritime's conduct supporting the revocation of certain licenses. At the clients' request, Nossaman filed notices of appearances on behalf of Havens and affected LLCs on May 6 and May 9 so as to preserve the Havens parties' right to participate as parties in the Order to Show Cause ("OSC") proceeding. Nossaman did not receive electronic notice or service copies of other appearances or papers filed in the OSC proceeding at that time, nor were those materials available on the FCC's electronic docket until 8 days later.

6. On or about May 12, 2011, Nossaman learned that the Southern California Regional Rail Authority ("SCRRA") and Maritime had filed notices of appearance that had been served by mail on our client. That was the first appearance of those parties in the FCC OSC proceeding commenced under Order 11-64, adverse to the Nossaman firm's clients.

7. A conflicts check then revealed that Nossaman provides legal services to the SCRRA and its principal member, the County of Los Angeles, on matters other than the acquisition of FCC spectrum. Thus, it appeared that the law firm would have a conflict of interest if the SCRRA would be participating in the OSC license revocation proceedings. The SCRRA confirmed its objection to the adverse representation.

8. The firm immediately began identifying potential substitute counsel. It also requested internal Counsel for the firm to analyze the legal issues surrounding this conflicts issue with Counsel for the Firm, and have continued to do so as additional information emerges.

9. Obtaining substitute legal counsel requires time and a vetting process because of the unique nature of FCC law and administrative proceedings, and because a number of firms also have conflicts of interest due to the number of parties now involved in this matter. Additionally, Order 11-64 addresses a pattern of conduct by Maritime covering a period of many years and counsel will need to become familiar with this factual history. We do not by this submission intend to disclose, and do not disclose, any communications protected by the attorney-client privilege, nor to provide a complete statement of the details giving rise to the legal conflict of interest. Nor have we intended to withdraw immediately or without available substitute counsel so as to preserve the full rights and standing of Mr. Havens and related entities. Our client does not seek to delay these proceedings and would prefer that Nossaman not now have a legal

conflict of interest. But the duties placed upon counsel to avoid representing in a legal proceeding a client against another client of the firm are clear under these circumstances.

10. We hope to have a transition to substitute counsel resolved prior the case management conference currently scheduled for June 15, although our client anticipates that 30 days is more likely given the amount of material and information that potential new counsel will need to review. If an appropriate transition cannot be accomplished before the case management conference, it is likely that a formal application for appropriate relief will be made at or prior to the status conference, based upon the facts as then developed.

/s/ Tamir Damari
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Systems LLC, V2G LLC and Warren C. Havens

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document is being served this 26th day of May, 2011, via U.S. Mail, postage prepaid, upon each of the parties and potentially-interested parties in this case, as identified in Paragraph 73 of the Commission's Order No. DA 11-64 (April 19, 2011).

/s/ Tamir Damari
Tamir Damari